



Washington, D.C. 20505

28 May 2019

Ms. Emma Best
MuckRock News
DEPT MR 67737
411A Highland Avenue
Somerville, MA 02144

Reference: F-2019-00852

Dear Ms. Best:

This is a final response to your 20 January 2019 Freedom of Information Act (FOIA) request for **an unredacted copy of memo DDO-77-8855**. We processed your request in accordance with the FOIA, 5 U.S.C. § 552, as amended, and the CIA Information Act, 50 U.S.C. § 3141, as amended.

We have located and completed a re-review of the document responsive to your request and determined that additional information can be released in the document, consisting of four pages. Therefore, it can be released in segregable form with deletions continuing to be made on the basis of FOIA exemption (b)(3). A copy of the document and an explanation of exemptions are enclosed. Exemption (b)(3) pertains to information exempt from disclosure by statute. The relevant statutes are Section 6 of the Central Intelligence Agency Act of 1949, as amended, and Section 102A(i)(1) of the National Security Act of 1947, as amended. As the CIA Information and Privacy Coordinator, I am the CIA official responsible for this determination. You have the right to appeal this response to the Agency Release Panel, in my care, within 90 days from the date of this letter. Please include the basis of your appeal.

If you have any questions regarding our response, you may contact us at:

Central Intelligence Agency
Washington, DC 20505
Information and Privacy Coordinator
703-613-3007 (Fax)

Please be advised that you may seek dispute resolution services from the CIA's FOIA Public Liaison or from the Office of Government Information Services (OGIS) of the National Archives and Records Administration. OGIS offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. You may reach CIA's FOIA Public Liaison at:


703-613-1287 (FOIA Hotline)

The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road – OGIS
College Park, MD 20740-6001
202-741-5770
877-864-6448
202-741-5769 (fax)
ogis@nara.gov

Contacting the CIA's FOIA Public Liaison or OGIS does not affect your right to pursue an administrative appeal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Lilly', with a stylized flourish at the end.

Mark Lilly
Information and Privacy Coordinator

Enclosures

Explanation of Exemptions

Freedom of Information Act:

- (b)(1) exempts from disclosure information currently and properly classified, pursuant to an Executive Order;
- (b)(2) exempts from disclosure information which pertains solely to the internal personnel rules and practices of the Agency;
- (b)(3) exempts from disclosure information that another federal statute protects, provided that the other federal statute either requires that the matters be withheld, or establishes particular criteria for withholding or refers to particular types of matters to be withheld. The (b)(3) statutes upon which the CIA relies include, but are not limited to, the CIA Act of 1949;
- (b)(4) exempts from disclosure trade secrets and commercial or financial information that is obtained from a person and that is privileged or confidential;
- (b)(5) exempts from disclosure inter-and intra-agency memoranda or letters that would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) exempts from disclosure information from personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy;
- (b)(7) exempts from disclosure information compiled for law enforcement purposes to the extent that the production of the information (A) could reasonably be expected to interfere with enforcement proceedings; (B) would deprive a person of a right to a fair trial or an impartial adjudication; (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy; (D) could reasonably be expected to disclose the identity of a confidential source or, in the case of information compiled by a criminal law enforcement authority in the course of a criminal investigation or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source; (E) would disclose techniques and procedures for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law; or (F) could reasonably be expected to endanger any individual's life or physical safety;
- (b)(8) exempts from disclosure information contained in reports or related to examination, operating, or condition reports prepared by, or on behalf of, or for use of an agency responsible for regulating or supervising financial institutions; and
- (b)(9) exempts from disclosure geological and geophysical information and data, including maps, concerning wells.

April 2012

DDO 77-8855

7 OCT 1977

MEMORANDUM FOR : All DO Employees

FROM : William W. Wells
Deputy Director for OperationsSUBJECT : FY 78 and FY 79 Reductions --
Implementation Procedures

1. This memorandum outlines procedures approved by the DCI in implementing personnel reductions in the Operations Directorate in FY 78 and FY 79.

2. The Director has ordered a reduction in the Directorate position ceiling. It is to take place during FY 78 and FY 79. As we begin FY 78, we have more employees on board than our new FY 78 and FY 79 ceilings permit, thus necessitating that we identify employees for separation in both FY 78 and FY 79. The Director has ordered that

- a. We reduce personnel at all grade levels;
- b. We provide headroom for promotion at all grade levels; and
- c. We provide for the accession of new personnel.

3. We fully recognize that there is no easy way to accomplish this reduction of personnel. We intend to be as fair and considerate as possible. We will consider all possible factors in identifying those specific employees who are to be separated. Those initially so identified will be notified by 1 November 1977 with none separated prior to 1 March 1978. In the event that the Director of Personnel is not able to find a suitable assignment elsewhere in the Agency, the DCI intends that these separations become

effective as soon after 1 March 1978 as is administratively feasible. Employees to be separated in FY 79 will be notified in writing no later than 1 June 1978 insofar as possible.

4. In identifying employees to be separated, we must consider current and future needs and insure that we maintain our capability to carry out those missions assigned to us by higher authority. Employees at each grade level will be looked at carefully to determine who can be expected to contribute most capably and proficiently to Directorate current and future needs.

5. In determining the number of employees to be separated, we have considered the fact that, in any given fiscal year, a certain number of employees leave the Directorate under normal circumstances -- resignation, retirement and other forms of separation. We have, therefore, factored into our planning a "safe" attrition figure based on past normal attrition statistics. These statistics, however, do not allow us to specifically forecast attrition at each grade level who will leave under normal circumstances. Past statistics do show a greater proportion of normal attrition at lower grade levels. Based on the above, we have determined that by 1 November 1977 approximately 200 employees must be notified that their separation from the Directorate in FY 78 will be recommended. Each such notification by me will be followed by my reviewing the case with the Director of Personnel and notifying him of my action as required by [redacted] and (2). Thereafter each case will be processed by the Director of Personnel as provided by that regulation. (b)(3)

6. As an aid in identifying employees to be recommended for separation, I intend to make maximum use of information developed on individual employees by our yearly comparative evaluations by grade of all employees. The Career Management

Staff (CMS) which administers these Evaluation Boards on my behalf has produced for each grade a ranking of employees to be considered for separation. In developing this ranking, CMS has carefully reviewed all available Evaluation Board rankings and commentary from FY 70 to the present. CMS first identified employees who at any time during this period were ranked in the low 20% percentile by an Evaluation Board. On some employees we have seven years of Board rankings to provide a balanced overall view of individuals. As you know, each year's Boards are composed of different officers, normally at a level two grades above those being evaluated. Thus CMS holdings on individual employees reflect the judgments of a number of evaluators. The span of the holdings on some employees will necessarily vary depending on such obvious things as an EOD date, DOG and/or conversion to professional status.

7. CMS developed a point value system as set forth below to assist in producing the necessary grade ranking. In addition to this point value system, CMS also factored into its rankings the latest available descriptor given to an employee by each Board when it established its comparative evaluation grouping.

Point Values

Low 5% in FY 76	+25
Low 5% in FY 77	+30
Low 5% any time between FY 70 through FY 75	+20
Low 20% any time between FY 70 and FY 77	+10
Low Middle	+ 5
Promotion in either FY 76 or FY 77	-20

Comparative Evaluation Groupings

Substandard	(SS)	+20
Limited Potential	(LP)	+10
Valuable Contribution	(VC)	0
May Develop High Potential	(MD)	- 5
Highest Potential	(HP)	-10

8. Preliminary listings were made by category and grade and, within these groups, a rank order was established according to the point score. The list was then reviewed and some adjustments made taking into consideration whether the employee's record was improving or declining, who had a most recent low rating and the consistency of the low rating(s). CMS also looked for aberrant rankings resulting from factors other than performance. Finally, CMS melded all categories at each grade level.

9. Employees with the most points will therefore be the first to be considered for separation. We recognize that this listing may include a number of individuals who have been identified as making a valuable contribution.

10. In making my final judgment of those to be recommended for separation, I must also consider that some employees are performing certain unique and highly necessary tasks which must continue. This may require retention of these individual employees until such time as a qualified replacement can be selected and trained to perform these unique tasks.

11. In approving our use of a normal attrition figure in our planning for our FY 78 and FY 79 reductions, the Director has charged the Directorate with the need to closely monitor our normal attrition rate in FY 78. If this attrition rate lags behind the estimate we have factored into our planning either overall or for specific grades, he has stated we then must notify additional employees of our intent to separate them from the Operations Directorate in FY 78. Such notification will necessarily have to take place after 1 November 1977.



William W. Wells

(b)(3)

